# **Election of the President & Vice President: Primary Election**



**Outline of the Process**

According to the United States Constitution, a presidential election is to be held once every fourth year. The process of electing a President and Vice-President begins long before Election Day. Candidates from both major and minor political parties and independent candidates begin to raise money and campaign at least one year in advance of the general presidential election. In order to officially represent a political party, a candidate must be nominated by that party. The General Election takes place on the Tuesday following the first Monday in November.

**Requirements to be president.**

* Only native-born U.S. citizens (or those born abroad, but only to parents who were both citizens of the U.S.) may be president of the United States, though from time to time that requirement is called into question, most recently after Arnold Schwarzenegger, born in Austria, was elected governor of California, in 2003. The Constitution originally provided a small loophole to this provision: One needn't have been born in the United States but had to be a citizen at the time the Constitution was adopted. But, since that occurred in 1789, that ship has sailed.
* One must also be at least 35 years of age to be president. John F. Kennedy was the youngest person to be elected president; he was 43 years old when he was inaugurated in 1961. There is no maximum age limit set forth in the Constitution. Ronald Reagan was the oldest president; at the end of his term in 1988, he was nearly 77.
* Finally, one must live in the United States for at least 14 years to be president, in addition to being a natural-born citizen. The Constitution is vague on this point. For example, it does not make clear whether those 14 years need to be consecutive or what the precise definition of residency is. So far, however, this requirement has not been challenged.

**Primary Nomination Process**

This primary nomination process is a contest that often produces factions within political parties. These divisions impact the policy stances and agendas of the candidates running for nomination as they attempt to garner the support of party leaders and activists. The nominating process officially begins with the first state primaries and caucuses, which usually occur in the month of February of the election year. It is at these local events that voters are given their first chance to participate in electing the nation’s next President.

**Factors that Influence the Choice**

There are many factors that influence who will ultimately become the candidate for a party. The public’s perception of the candidates is influenced by such things as media reports, public opinion polls, candidate preference surveys, and advertising. These factors will help determine the perceived strengths and weaknesses of the candidates in the months leading up to the caucuses and primaries.

**National Conventions**

The spring of an election year is characterized by vigorous campaigning for primaries and caucuses all over the nation. This process reaches its crescendo at the **national conventions** of the political parties. Once at the national party conventions, the delegates from the states cast votes for the person who will represent the political party in the November general election. In order to secure a party’s nomination, a candidate must receive a majority of the votes from the delegates. It is not unusual for delegates to vote several times before one candidate secures the majority of the votes and officially becomes that party’s candidate for the election to determine the next President of the United States.

**Vice President**

The candidate for President then must choose a vice-presidential candidate. Generally, a running mate is chosen that will in some way balance the party’s ticket for the general election. This balance may be **geographic** (choosing a running mate that is very popular in one region where the Presidential candidate is not) or **ideological** (choosing a running mate with a different ideological framework than the presidential candidate), and the balance is intended to make the overall general election ticket of a political party acceptable to as wide a range of voters as possible.

If a President is running for re-election, this nomination process must be completed. Even if the President does not face any opposition from within his own political party, the national convention will still occur. The conventions are extravaganzas, full of pageantry and showmanship. They serve to help jump-start the general election campaign for the presidential candidates.

**Other Parties**

Some people choose to run for president without being affiliated with a political party. Such independent candidates need not concern themselves with getting nominated by a party, but must meet other requirements. For example, such candidates are required to collect a large number of signatures to support their nominations. The sources of funding used by independent candidates comes from personal funds and loans as well as fundraising campaigns.

An independent candidate for President must file a declaration of candidacy and a certification of the candidate's selection for vice president with the secretary of state prior to circulation of the candidate's nominating petitions. The candidate and the candidate's selection for vice president must sign the certification before it is filed. No petition or certificate of nomination may be circulated prior to the first day of January of the year in which the election will be held. Once the required number of signatures is received by the person, s/he is able to run in the general election.

**Campaigns**

The candidates campaign right up until Election Day, when the nation finally votes for its President. The candidates travel throughout the country, making public appearance and giving speeches. The parties and the candidates use media advertising, direct mailings, telephone campaigns, and other means to persuade the voters to choose one candidate over the other(s). Often, these measures also serve to point out the weaknesses of the candidates from the other parties involved in the general election.

In this national presidential election, every citizen of legal age (who has taken the steps necessary in his/her state to meet the voting requirements, such as registering to vote) has an opportunity to vote. However, the President is not chosen by direct popular vote. The Constitution requires that a process known as the Electoral College ultimately decides who will win the general election.

**Electoral College**

The Electoral College is a method of indirect popular election of the President of the United States. The authors of the Constitution put this system in place so that careful and calm deliberation would lead to the selection of the best-qualified candidate. Voters in each state actually cast a vote for a block of electors who are pledged to vote for a particular candidate. These electors, in turn, vote for the presidential candidate. Each state is apportioned a number of electors equal to the total number of their Congressional delegation.

After Election Day, on the first Monday after the second Wednesday in December, these electors assemble in their state capitals, cast their ballots, and officially select the next President of the United States. Legally, the electors may vote for someone other than the candidate for whom they were pledged to vote. This phenomenon is known as the "unfaithful" or "faithless" elector. Generally, this does not happen. Therefore, the candidate who receives the most votes in a state at the general election will be the candidate for whom the electors later cast their votes. Two votes are taken, one for President and one for Vice President. Electors are restricted from voting for two candidates from their state. The candidate who wins in a state is awarded all of that state’s Electoral College votes, except in Maine and Nebraska where the electoral may be split.

The votes of the electors are then sent to Congress where the President of the Senate opens the certificates, and counts the votes. This takes place on January 6, unless that date falls on a Sunday. In that case, the votes are counted on the next day. An absolute majority is necessary to prevail in the presidential and the vice presidential elections, that is, half the total plus one electoral votes are required. With 538 Electors, a candidate must receive at least 270 votes to be elected to the office of President or Vice President.

**If there is no majority**

Should no presidential candidate receive an absolute majority, the House of Representatives determines who the next president will be. Similarly, the Senate decides who the next Vice President will be if there is no absolute majority after the Electoral College vote. For president, the House must select from the top three candidates; for VP the choice is from the top two. Each state delegation gets one vote, and only a simple majority is required. E.g. 26 states in the house and 51 votes in the Senate.

**Taking the Oath**

The President-elect and Vice President-elect take the oath of office and are inaugurated two weeks later, on January 20th. If this falls on a Sunday, the president takes the oath privately. A public ceremony takes place the following day. The Chief Justice of the Supreme Court administers the Oath of Office. The president and vice-president serve for four years and may serve a maximum of two terms.

Here is the Oath of Office:

“I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States.”

**Questions**

1. How often does the United States elect a president?
2. How long does the president serve?
3. What are the three requirements to be president?
4. What factors may influence the ultimate choice of a presidential candidate?
5. Only two parties may be represented in the General Election. TRUE/FALSE
6. What do you understand by the term “campaigns”?
7. In the Electoral College, how many electors are there in any given state? How is this number arrived at?
8. In the Electoral College, most states require that all votes for a candidate be assigned to the winner. Which two states permit the vote to be split?
9. When does the General Election take place?
10. If there is no majority in the election, how are the president and vice president chosen?
11. When do the president and vice president take the Oath of Office? Who administers the oath?